d.) Remarks

The instant Final Rejection is based primarily on the Tou reference. The Tou patent describes methods for reformatting paragraphs on a computer screen. More particularly, the patent is directed toward "rounding up" generally disparate alphanumeric objects on a computer screen to form a more compact paragraph format. These onscreen objects tend to be separated by normally hidden object breaks, such as carriage return and tab commands, or they may be separate text objects. Note Tou col. 1, line 66 –col. 2, line 4: "The present invention provides the ability to quickly and easily compact alphanumeric objects displayed on the screen of a pen computer system into a compact and contiguous paragraph. The process and apparatus of the present invention thus permits a user to quickly reformat text by removing superfluous carriage returns, paragraph breaks, and the like." Thus the primary goal of Tou is to compress a plurality of text objects together by removing existing formatting commands in the text objects. That is, Tou squeezes text objects together by removing formatting, and does not facilitate any formatting within a text object.

The instant rejection of claim 3 points to col. 9, lines 11-28 of Tou, in which the reference describes how selected text objects are given a compaction command by a click or tap on the selection box, whereafter the text objects are compressed within a portion of the space of the selection box. The citation goes on to state that other formatting operations can be carried out on the compacted

text object, such as changing the left or right margin or moving the entire paragraph. It also states that it will not discuss this topic any further.

This citation is more evocative in its lack of disclosure than in its overt teachings. It does not teach the means nor method for undertaking any formatting task, other than condensing text objects that are selected together. Although it suggests that further format changes may be possible, it does not teach any methodology for carrying out those format changes. Indeed, the reference mentions only "changing the left or right margin of the paragraph 73', or moving the entire paragraph 73' in a dragging process...". That narrow scope of functions is far less sophisticated that the present invention, which can change line spacing vertically, change paragraph spacing vertically, or move individual lines laterally within a text object. Tou can do none of these things. Tou teaches no methodology for accomplishing these functions.

Moreover, it is clear that the Tou arrangement is designed for a touch screen computer that employs a stylus 38 to enter the user's gestures on the screen. It is well recognized that it is very difficult to float a cursor on a touch screen using a stylus, since most styli evoke a touch signal only when they contact the screen and will not move the cursor onscreen unless there is contact with the screen. Such contact, however, is typically decoded as an object selection. (A capacitive screen can sense the close proximity of its stylus tip, but it is virtually impossible for a human hand to maintain that proximity without either moving the tip out of range of the screen, or colliding the tip with the screen and causing a

click or select command.) Consequently the stylus arrangement of Tou denies the user the ability to "float" the cursor without selecting an object or commanding an action. Clearly the Tou pen-based computer teaches away from the claimed invention, and is not well suited for the functions and methodology of the present invention.

Furthermore, the floating cursor step of the invention is necessary to enable the user to call forth the desired text repositioning function, according to the portion of the text object (paragraph, top line, or left end of line) over which the cursor is floating. Tou, which dwells on the "click" and "tap" gestures permitted by the stylus, never describes how a floating cursor can be used to command the desired text repositioning function. Thus the citation lacks a crucial aspect of the invention.

In contradistinction, the present invention describes methods for selecting and adjusting and revising the positions and spacings of lines and paragraphs within a text object. As shown in Figures 8a-8c, the user floats the cursor over the text object 32, causing the cursor to change into a double ended arrow 34. In this condition the text content cannot be edited in any way, but the text spacing may be altered easily. For example, by clicking and dragging the arrow 34 downwardly as shown by the adjacent direction arrow, the underlying lines of text may be dragged downwardly to a new, wider spacing, as shown in Figure 8b, so that the line spacing of the paragraph under (1.) is more widely spaced.. In the same vein, the arrow 34 may be dragged laterally as shown in Figure 8c to drag an individual line

leftward (or rightward, at the user's discretion), so that, as shown, the first line of paragraph (1.) is moved to the left. Note that in both examples the superjacent or subjacent text lines are not affected. Thus the format changes are applied only to the portions of the text object that are selected by floating the cursor over particular parts of the text object.

These selection criteria are spelled out distinctly in new claim 7 and are entirely missing in the reference. Claim 7 states the first step of floating a mouse cursor over a text object before any mouse click is placed in the text object, and changing the floating mouse cursor into a predetermined cursor shape that indicates a text repositioning function is being carried out. This clause is in direct contradistinction to Tou, in that the stylus of Tou cannot be made to float a mouse cursor on a touch screen. Nor is there any teaching of changing the text repositioning function in accordance with the portion of the text object over which the cursor is floated, prior to placing any mouse click in the text object.

Claims 7 also states that:

if the floating cursor is over a paragraph, the paragraph is moved the same amount as the cursor when a click-and-drag movement of the cursor is delivered to the paragraph;

if the floating cursor is over the top of a line, the line is moved the same amount as the cursor when a click-and-drag movement of the cursor is delivered to the line;

if the floating cursor is over the left side of a line, the individual left indent of said line is adjusted the same amount as the cursor when a click-and-drag movement of the cursor is delivered to the left side of the line.

These selection gestures give the user easy access to a plurality of format changes merely by cursor position control. This technique is not shown in the reference, and it is clear that claim 7 is patentable over the Tou patent and should be allowed.

Claims 4-6 stand rejected under §103 over Tou combined with the Hinks patent, newly cited. Hinks is cited for a showing of a method that includes changing the shape of a cursor into various arrow configurations based on location, and attention is drawn to col. 14, line 62 – col. 15, line 3, as well as col. 14, lines 30-41. Hinks describes a software translation kit that displays a dialog box in which the user may enter data values and descriptors to edit a software package. The first citation states:

> "Resizing a control manually involves **pressing the left mouse button** on either: (1) the bottom of the highlighted control (the cursor will be an up-down double-headed arrow) for vertical resizing; or (2) the right side of the highlighted control (the cursor will be a left-right double-headed arrow) for horizontal resizing; or (3) of the bottom-right corner of the control (the cursor will be a diagonal double-headed arrow) for both horizontal and vertical sizing."

Note the added highlight points to the fact that Hinks does not float the cursor over the locations to change the arrow shape and resizing function. It is necessary to first deliver a mouse click to the control being resized, after which the cursor changes form according to the placement of the click on the control. Hinks is devoid of any teaching of the step of floating the cursor and changing its form and text repositioning function based on its position on a text object, without requiring any click to the underlying text object. Given the fact that Tou has no teaching of the floating cursor arrangement, it is clear that the combination of Hinks and Tou cannot be interpreted as embodying a teaching that neither of them possesses individually in any form. Note that claims 4-6 now each recite that the floating cursor is changed in form, unlike Hinks. Thus it is asserted that claims 4-6, now dependent from new claim 7, are also allowable.

New claim 8 has been added to clarify claim 7 by stating the initial step of turning off any text edit function to enable the text repositioning function. This aspect of the invention is described on p. 26, lines 1-5 and 12-14. This feature is not taught in either citation, and it is asserted that claim 8 is also patentable.

All claims now presented are submitted in the belief that they patentably define the invention over the prior art, and this application is now in condition for issuance. Action toward that end is earnestly solicited.

Respectfully Submitted,

/Harris Zimmerman, Esq.
Registration No. 16, 437
Attorney for Applicant
Law Offices of Harris Zimmerman
1330 Broadway, Suite 710
Oakland, California 94612
(510) 465-0828
Harris@zimpatent.com

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as properly posted first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on

12/29/08 .

12/29/08
date